

THE NATIONAL ARCHIVES  
LITTERA  
SCRIPTA  
MANET

# FEDERAL REGISTER

OF THE UNITED STATES

VOLUME 2      1934      NUMBER 16

*Washington, Tuesday, January 26, 1937*

## PRESIDENT OF THE UNITED STATES.

### CONTRIBUTIONS TO AMERICAN RED CROSS FOR FLOOD RELIEF

By the President of the United States of America

#### A PROCLAMATION

Disastrous floods in the Ohio and Mississippi River valleys already have driven 270,000 men, women and children from their homes. There is every likelihood that until the crest of the flood waters is reached, this number of homeless refugees will be largely increased. Snow, sleet and freezing weather have added to the suffering and made more hazardous the work of rescue.

The victims of this grave disaster are dependent upon the American Red Cross for food, shelter, fuel, medical care and warm clothing. I have instructed the various agencies of the Federal Government to cooperate to the fullest extent with the Red Cross authorities.

In order that the Red Cross may meet these immediate emergency needs and continue to care for these unfortunates until the waters have receded and they can be returned to their homes, it is imperative that a minimum relief fund of two million dollars be raised as speedily as possible. We are looking to this great national relief agency to act as our representative in this emergency.

As President of the United States and as President of the American Red Cross, I am, therefore, urging all of our people to contribute promptly and most generously to this relief fund so that adequate relief may be made instantly available for these thousands of our homeless and suffering fellow citizens.

I am confident the response everywhere will be immediate and generous.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 23rd day of January, in the year of our Lord nineteen hundred and [SEAL] thirty-seven and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[No. 2222]

[F. R. Doc. 37-223; Filed, January 23, 1937; 2:56 p. m.]

## ZION NATIONAL MONUMENT—UTAH

By the President of the United States of America

#### A PROCLAMATION

WHEREAS certain public lands in the State of Utah contain volcanic phenomena of unusual scientific value, and

have situated thereon various other objects of geological and scientific interest; and

WHEREAS it appears that it would be to the public interest to reserve such lands as a national monument, to be known as the Zion National Monument:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906, ch. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that, subject to all valid existing rights, the following-described lands in Utah are hereby reserved from all forms of appropriation under the public-land laws and set apart as the Zion National Monument:

#### SALT LAKE MERIDIAN

- T. 39 S., R. 10 W.,  
sec. 31, lots 4 to 14, and 19 to 30, inclusive.
- T. 40 S., R. 10½ W.,  
sec. 1 and unsurveyed fractional sec. 2.
- T. 38 S., R. 11 W.,  
secs. 31, 32 and 33.
- T. 39 S., R. 11 W.,  
secs. 4 to 9, and 16 to 21, inclusive, partly unsurveyed;  
sec. 24, NE¼ and S½;  
secs. 25 to 29, and 33 to 36, inclusive.
- T. 40 S., R. 11 W.,  
secs. 2, 3, 4, 9, 10, 15, 16, 21, 22, 27, 28, 33 and 34.
- T. 41 S., R. 11 W.,  
sec. 4;  
sec. 5, E½;  
sec. 8, NE¼;  
secs. 9, 16 and 21.
- T. 38 S., R. 12 W.,  
sec. 10, lots 3 to 10, inclusive;  
sec. 11, S½;  
sec. 12, S½;  
secs. 13, 14 and 15;  
sec. 21, E½;  
secs. 22 to 28, inclusive;  
sec. 29, lot 1 and lots 3 to 8, inclusive.  
secs. 33 to 36, inclusive.
- T. 39 S., R. 12 W.,  
secs. 1 to 4, and 9 to 15, inclusive, partly unsurveyed;  
sec. 16, E½;  
secs. 22, 23 and 24, partly unsurveyed, containing approximately 49,150 acres.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes", approved August 25, 1916 (ch. 408, 39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof.

The reservation made by this proclamation supersedes as to any of the above-described lands affected thereby the temporary withdrawals for classification and other purposes





Published by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. L. 500), under regulations prescribed by the Administrative Committee, with the approval of the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1 per month or \$10 per year; single copies 5 cents; payable in advance. Remit by money order payable to Superintendent of Documents, Government Printing Office, Washington, D. C.

Correspondence concerning the publication of the FEDERAL REGISTER should be addressed to the Director, Division of the Federal Register, The National Archives, Washington, D. C.

## TABLE OF CONTENTS

Department of Agriculture:	
Agricultural Adjustment Administration:	
Agricultural conservation program, 1936:	Page
Southern region, Bulletin No. 5, Supplement	170
(d)-----	
Western region, Bulletin No. 3, Supplement	170
(g)-----	
Forest Service:	
Regulations to govern exercise of mineral rights reserved in conveyances to the United States-----	170
Department of the Interior:	
Division of Grazing:	
Modification of grazing districts:	
Idaho, No. 1-----	169
Montana, No. 2-----	169
Montana, No. 3-----	169
Nevada, No. 2-----	169
Oregon, No. 2-----	169
Wyoming, No. 1-----	169
Federal Power Commission:	
Order prescribing a list of units of property for use in connection with uniform system of accounts-----	171
Interstate Commerce Commission:	
Order relating to monthly reports of revenues and expenses of carriers by rail-----	177
Rules governing meetings and procedure of joint boards-----	177
President of the United States:	
Executive Order:	
Willapa Harbor Migratory Bird Refuge, Wash., establishment-----	168
Proclamations:	
Contributions to American Red Cross for flood relief-----	167
Zion National Monument, Utah, lands reserved-----	167
Rural Electrification Administration:	
Allocation of funds for projects rescinded-----	178
Securities and Exchange Commission:	
Consent to withdrawal of filing of offering sheets, etc., by:	
Grimes Bros. Royalty Co.-----	179
Notice of and order for hearings:	
American Public Service Co.-----	178
Central and South West Utilities Co.-----	178
Order approving acquisition of securities:	
Middle West Corp.-----	179
Order terminating proceeding, offering sheet by:	
Second Dependable Oil Corp.-----	179
Suspension orders, etc., offering sheets by:	
Fisher, G. E.-----	180
Thomasson, E. M., Producing Co.-----	180

made by Executive Orders No. 5573 of March 7, 1931, and No. 6910 of November 26, 1934, as amended, and Executive Order of April 17, 1926, creating Public Water Reserve No. 107.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 22d day of January, in the year of our Lord nineteen hundred and [SEAL] thirty-seven and the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*The Secretary of State.*

[No. 2221]

[F. R. Doc. 37-222; Filed, January 23, 1937; 2:56 p. m.]

### EXECUTIVE ORDER

#### ESTABLISHING WILLAPA HARBOR MIGRATORY BIRD REFUGE

##### Washington

By virtue of and pursuant to the authority vested in me as President of the United States, and by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, and in order to effectuate further the purposes of the Migratory Bird Conservation Act (45 Stat. 1222), it is ordered that the following-described lands, comprising 625.62 acres, more or less, in the State of Washington, be, and they are hereby, reserved and set apart for the use of the Department of Agriculture, subject to valid existing rights, as a refuge and breeding ground for migratory birds and other wildlife: *Provided*, That the reservation of such lands for wildlife conservation purposes shall be subject to the use thereof by the Department of War and the Department of the Treasury for rights-of-way for roads, telephone lines, and transmission lines to the Willapa Bay Light Station or other adjacent properties under control of the Department of War or the Department of the Treasury:

##### WILLAMETTE MERIDIAN

T. 14 N., R. 11 W.,  
 sec. 5, lots 1, 2, 3, 4, E½SW¼ and  
 sec. 6, lot 1; with accretions thereto, described by metes and bounds as follows: Beginning at a point 2,639.6 feet west of the corner common to secs. 4, 5, 8, and 9; thence on line between secs. 5 and 8, S. 89°55' W., 1,317.5 feet; N. 89°51' W., 1,325.9 feet, to the corner common to secs. 5, 6, 7, and 8; thence on line between secs. 7 and 8, south, 1,640.0 feet, to a point on the shore of the Pacific Ocean; thence with meanders of the Pacific Ocean, N. 72°01' W., 400 feet; N. 49°55' W., 1,368.1 feet; N. 6°22' W., 5,887.2 feet, to a point on the township line; thence on township line, S. 89°51' E., 3,395.9 feet; thence passing within sec. 5, S. 0°06' E., 2,615.8 feet; N. 89°55' E., 1,317.5 feet; S. 0°05' E., 2,617.4 feet, to the place of beginning;  
 sec. 9, lots 1, 2, N½NW¼, described by metes and bounds as follows: Beginning at the corner common to secs. 4, 5, 8, and 9; thence on line between secs. 8 and 9, south, 2,391.4 feet, to a point on the shore of the Pacific Ocean; thence with meanders of the Pacific Ocean, N. 71°03' E., 1,457.1 feet; N. 87°58' E., 1,264.8 feet; thence passing within sec. 9, north, 1,873.4 feet; thence on line between secs. 4 and 9, west, 2,642.2 feet to place of beginning.

The Executive order of September 11, 1854, reserving certain public lands for lighthouse purposes, is hereby revoked in so far as it applies to the above-described lands.

This refuge shall be known as the Willapa Harbor Migratory Bird Refuge.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
 Jan. 22, 1937.

[No. 7541]

[F. R. Doc. 37-221; Filed, January 23, 1937; 11:40 a. m.]



## DEPARTMENT OF THE INTERIOR.

## Division of Grazing.

## OREGON GRAZING DISTRICT No. 2

## MODIFICATION

DECEMBER 7, 1936.

Under and pursuant to the provisions of the act of June 28, 1934, 48 Stat. 1269, as amended by the act of June 26, 1936, Public No. 827, 74th Congress, departmental order of July 9, 1935, establishing Oregon Grazing District No. 2, is hereby revoked so far as it affects the following-described lands, such revocation to be effective upon the inclusion of the lands within the Hart Mountain Antelope Refuge:

## WILLAMETTE MERIDIAN

- T. 35 S., R. 25 E., E $\frac{1}{2}$  sec. 1, secs. 11 to 15, E $\frac{1}{2}$  sec. 16, E $\frac{1}{2}$  sec. 20, secs. 21 to 28, E $\frac{1}{2}$  sec. 29, E $\frac{1}{2}$  sec. 32, secs. 33 to 36, inclusive.  
 T. 36 S., R. 25 E., secs. 1 to 5, 8 to 36, inclusive.  
 T. 37 S., R. 25 E.  
 T. 33 S., R. 26 E., S $\frac{1}{2}$  sec. 25, S $\frac{1}{2}$  sec. 35, sec. 36.  
 T. 34 S., R. 26 E., secs. 1 and 2, E $\frac{1}{2}$  sec. 10, secs. 11 to 15, E $\frac{1}{2}$  sec. 16, E $\frac{1}{2}$  sec. 20, secs. 21 to 29, secs. 31 to 36, inclusive.  
 Ts. 35 to 37 S., R. 26 E.  
 T. 33 S., R. 27 E., secs. 1 to 3, secs. 9 to 16, secs. 20 to 36, inclusive.  
 Ts. 34 to 37 S., R. 27 E.  
 T. 33 S., R. 28 E.

T. A. WALTERS,  
*Acting Secretary of the Interior.*

[F. R. Doc. 37-219; Filed, January 23, 1937; 9:55 a. m.]

## IDAHO GRAZING DISTRICT No. 1

## MODIFICATION

JANUARY 18, 1937.

Under and pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976), Departmental order of April 8, 1935, establishing Idaho Grazing District No. 1, is hereby revoked so far as it affects the following described lands:

## BOISE MERIDIAN

- T. 10 N., R. 1 E.,  
 sec. 14, S $\frac{1}{2}$ SW $\frac{1}{4}$ .  
 sec. 15, S $\frac{1}{2}$ SE $\frac{1}{4}$ .  
 sec. 22, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ .  
 T. 9 N., R. 3 W.,  
 sec. 31, E $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ .  
 T. 10 N., R. 3 W.,  
 sec. 29, W $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ .  
 T. 8 S., R. 5 W.,  
 sec. 13, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ .

HAROLD L. ICKES,  
*Secretary of the Interior.*

[F. R. Doc. 37-224; Filed, January 25, 1937; 9:43 a. m.]

## MONTANA GRAZING DISTRICT No. 2

## MODIFICATION

JANUARY 18, 1937.

Under and pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976), Departmental order of July 11, 1935, establishing Montana Grazing District No. 2, is hereby revoked so far as it affects the following described lands:

## PRINCIPAL MERIDIAN

- T. 18 N., R. 19 E., sec. 10, NE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
 T. 18 N., R. 57 E., sec. 2, all.

HAROLD L. ICKES,  
*Secretary of the Interior.*

[F. R. Doc. 37-228; Filed, January 25, 1937; 9:43 a. m.]

## MONTANA GRAZING DISTRICT No. 3

## MODIFICATION

JANUARY 18, 1937.

Under and pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976), Departmental order of April 8, 1935, establishing Montana Grazing District No. 3, is hereby revoked so far as it affects the following described lands:

## PRINCIPAL MERIDIAN

- T. 17 N., R. 56 E., sec. 12, N $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ .

HAROLD L. ICKES,  
*Secretary of the Interior.*

[F. R. Doc. 37-225; Filed, January 25, 1937; 9:43 a. m.]

## NEVADA GRAZING DISTRICT No. 2

## MODIFICATION

JANUARY 18, 1937.

Under and pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976), Departmental order of October 18, 1935, establishing Nevada Grazing District No. 2, is hereby revoked so far as it affects the following described lands:

## MT. DIABLO MERIDIAN

- T. 33 N., R. 38 E., sec. 14, S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

HAROLD L. ICKES,  
*Secretary of the Interior.*

[F. R. Doc. 37-226; Filed, January 25, 1937; 9:43 a. m.]

## WYOMING GRAZING DISTRICT No. 1

## MODIFICATION

JANUARY 18, 1937.

Under and pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976), Departmental order of March 23, 1935, establishing Wyoming Grazing District No. 1, is hereby revoked so far as it affects the following described lands:

## SIXTH PRINCIPAL MERIDIAN

- T. 49 N., R. 92 W., sec. 35, lots 3 and 4.  
 T. 47 N., R. 93 W., sec. 26, lot 2.  
 T. 55 N., R. 97 W., sec. 7, lot 6.

HAROLD L. ICKES,  
*Secretary of the Interior.*

[F. R. Doc. 37-227; Filed, January 25, 1937; 9:43 a. m.]

## General Land Office.

STOCK DRIVEWAY WITHDRAWAL No. 126, REDUCED; STOCK DRIVEWAY WITHDRAWALS Nos. 133 AND 160 REVOKED

## WYOMING

## Correction

Federal Register Document 37-207, filed January 22, 1937, at 9:51 a. m., and printed in the issue for Saturday, January 23, 1937, contained land descriptions which should read as follows:

- T. 46 N., R. 97 W., lot 4 Sec. 4, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$  Sec. 5, Sec. 6, E $\frac{1}{2}$  Sec. 8, NE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$  Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 20, NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$  and SE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 21, W $\frac{1}{2}$ W $\frac{1}{2}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 27, E $\frac{1}{2}$ E $\frac{1}{2}$  Sec. 28, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$  Sec. 30, N $\frac{1}{2}$ NE $\frac{1}{4}$  Sec. 31, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$  and E $\frac{1}{2}$ NW $\frac{1}{4}$  Sec. 32, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$  and SE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 33, NW $\frac{1}{4}$ NE $\frac{1}{4}$  and N $\frac{1}{2}$ NW $\frac{1}{4}$  Sec. 34;  
 T. 43, N., R. 102 W., E $\frac{1}{2}$ W $\frac{1}{2}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 6, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$  Sec. 7, S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$  and N $\frac{1}{2}$ S $\frac{1}{2}$  Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 18, NW $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 22, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$  Sec. 23, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ -SE $\frac{1}{4}$ , lots 3 and 4 Sec. 25, NE $\frac{1}{4}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 26, E $\frac{1}{2}$ NE $\frac{1}{4}$  Sec. 27;



## DEPARTMENT OF AGRICULTURE.

## Agricultural Adjustment Administration.

SR—B-5—Supplement (d)

## 1936 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

## BULLETIN NO. 5, SUPPLEMENT (D)

Part II of Southern Region Bulletin No. 5 is hereby amended by adding, after Supplement (c) thereto, the following:

The instructions outlined elsewhere in SR—B-5 relative to the execution of Forms 9 covering farms on which sugarcane for sugar was grown in 1936 are hereby supplemented as follows:

Where only one person furnished the workstock and equipment used on the land covered by Form 9, the word "all" shall be entered in the left-hand side of column (F) opposite the name of the person furnishing the workstock and equipment.

Where two or more persons furnished the workstock and equipment (with respect to cotton or crops in general base or both) on land covered by Form 9, the entries to be made in the left-hand side of column (F) opposite the name of such persons furnishing workstock and equipment are as follows:

A. If the entries in columns (B) and (E), line 5 and subsequent lines, are made pursuant to paragraph A, page 7, SR—B-5, enter that acreage which represents the sum of the 1936 planted acreages of crops in those soil-depleting bases (cotton and general) with respect to which a class I payment is made and for which each such person furnished workstock and equipment. In such cases the sum of the acreages entered in the left-hand side of column (F) should equal the sum of the amounts in line 2, columns (B) and (E), for soil-depleting bases (cotton and general) with respect to which a class I payment is made.

B. If the entries in columns (B) and (E), line 5 and subsequent lines, are made pursuant to paragraph C, page 8, SR—B-5, enter that acreage which represents the sum of the row crops on all producer units for which such person furnished workstock and equipment. In such cases the total of the acreages entered in the left-hand side of column (F) should equal the total acreage of row crops on the farm.

C. If the entries in columns (B) and (E), line 5 and subsequent lines, are made pursuant to paragraph D, page 8, SR—B-5, enter that acreage which represents the sum of the soil-depleting bases (cotton and general) with respect to which a class I payment is made and for which such person furnished workstock and equipment. In such cases the total of the acreages entered in the left-hand side of column (F) should equal the sum of the amounts in line 1, columns (B) and (E), for the soil-depleting bases (cotton and general) with respect to which a class I payment is made.

Where only one person furnished the land covered by Form 9, the word "all" should be written in the space provided in the right-hand side of column (F) opposite the name of the person furnishing such land.

Where two or more persons furnished the land covered by Form 9, the same method which is (or would be) used on that farm for dividing workstock and equipment payment must be used as the basis for dividing the land payment. For example, if the workstock and equipment payment is (or would be) divided on the basis of the planted acres, the sum of the entries to be made in the right-hand side of column (F) opposite the name of persons furnishing land should equal the sum of the 1936 planted acreages of crops in those soil-depleting bases (cotton and general) with respect to which a class I payment is made.

In executing Form 9 covering a farm on which sugarcane for sugar was grown in 1936, no part of the acreage of sugarcane for sugar should be entered in either side of column (F), Form 9, except in cases where the acreage of

row crops is used (pursuant to paragraph C, page 8, SR—B-5) as a basis for dividing the class I payment.

Except as otherwise provided herein, Forms 9 covering farms on which sugarcane for sugar was grown in 1936 should be executed in accordance with the procedure outlined elsewhere in part II of Southern Region Bulletin No. 5.

In testimony whereof, H. A. WALLACE, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 23rd day of January 1937.

[SEAL]

H. A. WALLACE, *Secretary.*

[F. R. Doc. 37-232; Filed, January 25, 1937; 11:28 a. m.]

WR—B-3—Supplement (g)

## 1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

## BULLETIN NO. 3, SUPPLEMENT (G)

*Normal Yields of Flaxseed per Seeded Acre, California, Idaho and Washington*

Section 5B, Part II of Western Region Bulletin No. 3, as amended by Supplements (b) and (e),<sup>1</sup> Western Region Bulletin No. 3, is hereby amended by inserting the following normal yields of flaxseed per seeded acre immediately preceding the last paragraph thereof.

CALIFORNIA	
County:	Normal Yield (bushels)
Alameda.....	17
Napa.....	12
Nevada.....	12
Placer.....	12
Siskiyou.....	10
Sonoma.....	12
IDAHO	
County:	
Bannock.....	10
Clearwater.....	10
Kootenai.....	14
Jerome.....	20
Valley.....	18
Payette.....	20
WASHINGTON	
County:	
Snohomish.....	16

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 23rd day of January 1937.

[SEAL]

H. A. WALLACE,  
*Secretary of Agriculture.*

[F. R. Doc. 37-229; Filed, January 25, 1937; 11:27 a. m.]

## Forest Service.

REGULATIONS TO GOVERN EXERCISE OF MINERAL RIGHTS  
RESERVED IN CONVEYANCES TO THE UNITED STATES

In conformity with the provisions of Section 9 of the Act approved March 1, 1911 (36 Stat. 961), I, Henry A. Wallace, Secretary of Agriculture, do hereby establish the following regulations to govern the extraction of minerals, oil, gas, and other inorganic resources from lands purchased by the United States under authority of said Act of March 1, 1911, as amended, in cases where the right to extract such mineral resources is to be reserved by the vendor by stipulation in the deed of conveyance to the United States.

Whoever begins such operations must, on demand, exhibit to the Forest Officer in charge satisfactory evidence of

<sup>1</sup> 1 F. R. 503, 1234, 1791.



authority from the grantor so to do, and must comply with the following requirements:

1. Only so much of the surface of the land shall be used or disturbed as is necessary in the bona fide prospecting, mining, drilling or manufacturing of the minerals; but no right to so occupy, use or disturb such land shall be recognized unless the recorded owner of the reserved mineral, or his legally authorized representative, shall have applied for and received from the Forest Supervisor a permit authorizing such use or occupancy, for which permit advance payment shall be made annually at the rate of \$6.00 per acre or fraction thereof.

All buildings, camps, equipment and other structures shall be removed from the land within one year from date of completion or abandonment of the operation which shall be construed as being the date when payment of the permit charges for the land terminates. Otherwise such buildings, camps, equipment and other structures shall become the property of the United States.

2. If the exercise of the rights herein reserved will result in the stripping, collapse or other damage of the land or any improvements thereon, the recorded owner of the reserved rights, or his legally authorized representative, shall upon written notification by the Forest Supervisor pay to the designated fiscal officer of the United States, for deposit in a cooperative fund, the amount determined by the Forest Officer in charge of the area to be necessary to restore the land to a serviceable or safe condition or to repair or replace the improvements damaged or destroyed; such cooperative deposits to be available for expenditure by the United States for the purposes for which deposited.

3. All marketable timber and other timber products cut, destroyed, or damaged in prospecting, mining, drilling, or removing minerals, coal, oil and gas, or in manufacturing products therefrom, and in the location and construction of buildings or works of any kind for use in connection therewith, shall be paid for at the usual rates charged in the locality for sales of similar National Forest timber and timber products.

All slash resulting from such cutting or destruction shall be disposed of as directed by the Forest Officer. No timber or reproduction shall be unnecessarily cut, destroyed or damaged.

4. All mining operators shall in all developments and operations make all reasonable provisions for the disposal of tailings, dumpage and other deleterious materials or substances in such manner as to prevent obstruction, pollution or deterioration of the land, streams, ponds, lakes or springs.

5. Nothing herein contained shall be construed to exempt the operator or the mining operations from any requirements of the laws of the State in which situated; nor from compliance with or conformity to any requirements of any law or regulation which later may be enacted or promulgated, and which otherwise would be applicable.

6. While operations are in progress, the operators, contractors, sub-contractors, and employees of contractors and sub-contractors at work on the National Forest, shall use due diligence in the prevention and suppression of fire, and shall be available for service in the extinguishment and suppression of all fires within two miles of said operation. Provided that if such fire does not originate through any negligence on the part of the operators, contractors, sub-contractors, or their employees and does not threaten their structures, improvements or property, that they shall be paid for their services at the current rate of pay of fire fighters employed by the United States.

All regulations hitherto issued by the Secretary of Agriculture to govern the exercise of mineral rights reserved in conveyances to the United States are hereby superseded as to mineral rights hereafter reserved.

In testimony thereof I have hereunto set my hand and official seal at the City of Washington, this 23d day of January 1937.

[SEAL]

H. A. WALLACE,  
Secretary of Agriculture.

[F. R. Doc. 37-240; Filed, January 25, 1937; 11:31 a. m.]

## FEDERAL POWER COMMISSION.

[Order No. 45]

### PRESCRIBING A LIST OF UNITS OF PROPERTY FOR USE IN CONNECTION WITH UNIFORM SYSTEM OF ACCOUNTS

It appearing to the Commission:

(1) That the Commission, acting pursuant to authority granted by the Federal Power Act, has prescribed a Uniform System of Accounts for public utilities and licensees subject to the provisions of said Act;

(2) That Electric Plant Instruction 12 of said Uniform System of Accounts, as revised to December 31, 1936,<sup>1</sup> prescribes the accounting for additions to and retirements and replacements of electric plant and for that purpose divides electric plant into two general classes as follows:

- (a) Units of property; and
- (b) Minor items of property;

(3) That Electric Plant Instruction 12 B provides that each public utility or licensee may adopt its own list of units of property for the purpose of that instruction until such time as the Commission shall prescribe a list of units;

Now, therefore, the Commission finds:

That it is desirable and appropriate, in order to make more uniform and consistent the accounting practices of public utilities and licensees, to prescribe a list of units of property.

Wherefore, it is hereby ordered:

(a) That the accompanying list and description of units of property and instructions relating thereto be and the same are hereby prescribed and promulgated, effective February 1, 1937, to be observed by public utilities subject to the jurisdiction of the Commission and by licensees holding licenses issued by the Commission as provided in Electric Plant Instruction 12 B of the Uniform System of Accounts prescribed for public utilities and licensees, as revised to December 31, 1936, in accounting for additions to and retirements and replacements of electric plant; provided, however, that any public utility or licensee may make the same effective as of January 1, 1937, if it so elects;

(b) That a copy of this order and the accompanying list and description of the units of property and instructions relating thereto be forthwith served upon each public utility subject to the jurisdiction of the Commission, and each licensee or permittee holding a license or permit from the Commission.

Adopted by the Commission on January 13, 1937.

[SEAL]

LEON M. FUQUAY, Acting Secretary.

### UNITS OF PROPERTY FOR USE IN CONNECTION WITH THE UNIFORM SYSTEM OF ACCOUNTS

#### INSTRUCTIONS

The units of property listed herein are prescribed and are to be accounted for in accordance with Electric Plant Instruction 12 of the Uniform System of Accounts for public utilities and licensees, as revised to December 31, 1936. Electric Plant Instruction 12 provides, in part, as follows:

12. *Additions and Retirements of Electric Plant.*—A. For the purpose of avoiding undue refinement in accounting for additions to and retirements and replacements of electric plant, all property shall be considered as consisting of (1) units of property and (2) minor items of property.

B. *Units of property.*—Each utility may adopt its own list of units for the purpose of this instruction until such time as the Commission shall prescribe a list of units.

(1) When a unit of property is added to electric plant, the cost thereof shall be added to the appropriate electric plant account, except that when units are acquired in the acquisition of any electric plant constituting an operating system, they shall be accounted for as provided in electric plant instruction 4.

(2) When a unit of property is retired from electric plant, with or without replacement, the book cost thereof shall be credited to the electric plant account in which it is included, \* \* \*.

<sup>1</sup> 1 F. R. 811; 2 F. R. 103.



*C. Minor items of property.—*

(1) When a minor item of property which did not previously exist is added to plant, the cost thereof shall be accounted for in the same manner as for the addition of a unit of property, as set forth in paragraph B (1), above, if a substantial addition results, otherwise the charge shall be to the appropriate operating expense account.

(2) When a minor item of property is retired and not replaced, the book cost thereof shall be credited to the electric plant account in which it is included; \* \* \* If, however, the book cost of the minor item retired and not replaced has been or will be accounted for by its inclusion in the unit of property of which it is a part when such unit is retired, no separate credit to the property account is required when such minor item is retired.

(3) When a minor item of depreciable property is replaced independently of the unit of which it is a part, the cost of replacement shall be charged to the maintenance account appropriate for the item, except that if the replacement effects a substantial betterment (the primary aim of which is to make the property affected more useful, more efficient, of greater durability, or of greater capacity), the excess cost of the replacement over the estimated cost at current prices of replacing without betterment shall be charged to the appropriate electric plant account.

The list of units may be expanded by any public utility or licensee without other authorization from this Commission but it may not be condensed; thus, the units listed herein are of maximum size and while subdivision thereof, or the addition of other units, is permitted, the combination or the increase in size of such units is enjoined.

Wherever appropriate, the retirement of any unit of property in the structures or equipment accounts shall include all costs of associated items which pertain solely to that unit, such as the cost of foundations, supports, ladders, runways, enclosures, guards, driving mechanisms, indicating, recording and measuring devices with their mountings, starting, control, regulating, protective and safety devices, switchboards, special lighting conduits and wiring, pipes, ducts, spouts, chutes, hoppers, etc.

If, because of a contract previously entered into, adherence to the list of units contained herein would cause an undue hardship, such as the loss of revenue to a particular utility, a petition for relief, giving therein a full disclosure of the facts and a suggested modification of the list necessary to avoid the hardship during the period of the contract, should be submitted to the Commission.

It is contemplated that the list of units contained herein will be revised and amended from time to time as experience and conditions warrant.

## LIST OF UNITS OF PROPERTY

(The article a, an, or the, as appropriate, should be read in connection with each unit of property listed herein.)

*311. Structures and Improvements.—*

1. Air conditioning or ventilating system.
2. Boiler, furnace, hot-water heater, or automatic stoker.
3. Burner system, gas or oil.
4. Coal or ash conveying system.
5. Elevator complete with operating mechanism.
6. Equipment item, such as a motor, generator, engine, turbine, pump, compressor, ventilating fan, air washer, elevator drum, or similar item of equipment includible in structures, with or without associated wiring, control equipment, etc.
7. Fire escape system.
8. Fire protection system.
9. Foundation, when includible in structures.
10. House-lighting or power board.
11. Lighting fixtures, with or without associated wiring and conduit.
12. Roof, with or without supporting members.  
(A structure of irregular shape having more than one roof level may have several isolated roofs, each of which shall be considered an entire roof. In the case of structures to which lateral extensions have been made, even though having but one roof level, that part of the roof covering an entire section built at one time shall be considered an entire roof.)

13. Structure, complete.

14. Tank.

*312. Boiler plant equipment—A. Steam Boiler Installation.—*

1. Boiler.
2. Foundation, boiler, when independent of structure.
3. Fuel burning equipment for one boiler (grates, stokers, stoker drive, burners, etc.).
4. Furnace.
5. Furnace walls or arches, air or water, cooled, for one boiler.
6. Reheater.
7. Setting, boiler.
8. Soot blower system for one boiler.
9. Superheater, when separate from boiler.

*B. Draft Equipment.—*

1. Air duct system.
2. Air heater.
3. Breeching system.
4. Cinder catcher.
5. Fan, draft.
6. Stack, with or without foundation.

*C. Feed Water System.—*

1. Deaerator.
2. Economizer, when separate from boiler.
3. Heat exchanger.
4. Heater, feed water (main or stage).
5. Measuring and recording device.
6. Pump (main or stage).
7. Regulator, feed water.
8. Tank.

*D. Coal Fuel Equipment.—*

1. Bin or bunker not includible in structures.
2. Capstan or winch, power.
3. Car.
4. Car dumper.
5. Chutes or spouts, system of.
6. Conveyor (belt, cable way, portable, screw, etc.).
7. Crane (locomotive, gantry or monorail).
8. Crusher.
9. Electric trolley or third rail system.
10. Elevator (vertical, bucket, skip hoist).
11. Gates, chutes, downtakes, spreaders, or hoppers, for one boiler.
12. Hoist or derrick.
13. Hopper, track or weigh.
14. Locomotive.
15. Lorry.
16. Scraper, drag.
17. Screening or sizing installation.
18. Separator, magnetic.
19. Structure, fuel handling, with mechanism (not includible in structures).
20. Track scale.
21. Track system.
22. Trestle.

*E. Pulverized Fuel Equipment.—*

1. Air filter or washer.
2. Air preheater.
3. Air compressor.
4. Conveyor.
5. Chutes, ducts, or transport pipes, system of.
6. Coal feeder, raw or powdered.
7. Crusher.
8. Dryer.
9. Fan.
10. Hopper or bin.
11. Pulverizer.
12. Pump.
13. Screening or sizing installation.



14. Separator, electric or mechanical (dust collector or concentrated).
15. Sludge pump.
16. Weighing machine, automatic.

**F. Oil Fuel Equipment.—**

1. Heater.
2. Meter.
3. Pump.
4. Tank.

**G. Gas Fuel Equipment.—**

1. Holder or tank.
2. Meter.
3. Pressure regulator or control device.

**H. Ash Handling Equipment.—**

1. Car.
2. Conveyor or elevator.
3. Crane hoist or derrick.
4. Electric trolley or third rail system.
5. Fan.
6. Locomotive.
7. Pump.
8. Removal system (vacuum, steam jet, or hydraulic).
9. Sluiceway or piping system.
10. Storage bin or pit.
11. Sump dredge.
12. Track system.

**I. Water Supply and Purification System.—**

1. Meter.
2. Pump.
3. Tank.
4. Water softener or purification system.
5. Well.

**J. Ventilating Equipment.—**

1. Air duct system.
2. Blower.
3. Cooler or heater.
4. Washer.

**K. Instruments and Meters.—**

1. Automatic control installation.
2. Master controller installation.
3. Panel section of a switch or instrument board.
4. Recording or indicating device.

**L. Boiler Plant Piping.—**

1. Desuperheater.
2. Header of any class of piping such as each pressure or temperature class of live steam; each pressure class of exhaust steam; raw water; treated water; feed water; drip and drain piping; boiler blowdown; compressed air; hot or cold service water; lubricating oil; fuel oil; gas; fire protection; etc.
3. Piping, branch run of any class, 2 inches or over in size, between one or more units of property and a header.
4. Piping, run of any class, 2 inches or over in size, between two or more units of property.
5. Separator or purifier, steam.
6. Trap, high-pressure.
7. Valve, motor operated, pressure reducing, boiler non-return, or other relatively costly valve.

NOTE: Wherever appropriate, the "piping" costs of additions and retirements shall include all costs for pipes, valves, fittings, specials, covering, hangers, supports, etc., pertaining to the run or header in question.

**313. Engines and Engine-Driven Generators.****314. Turbo-Generator Units—A. Engine-Driven Generating Installation (account 313).—**

1. Drive or connection between engine and generator.
2. Engine.
3. Exciter, direct connected or belt-driven.
4. Foundation, independent of structure.
5. Generator.
6. Governor control system.

**B. Turbo-Generator Installation (Account 314).—**

1. Equipment, starting and turning.
2. Exciter, direct connected or belt-driven.
3. Foundation, independent of structure.
4. Generator.
5. Governor control system.
6. Remote control rheostat and field switch.
7. Turbine.

**C. Condensing and Cooling Water System (Accounts 313 and 314).—**

1. Air ejector apparatus for one condenser.
2. Condenser.
3. Condenser tube protective system (chemical, electric, electrolytic, etc.).
4. Cooling tower.
5. Fan.
6. Intake screen and mechanism.
7. Pump, circulating, condensate, vacuum, etc.
8. Spraying system.
9. Tank.
10. Valve, atmospheric relief.

**D. Central Generator Cooling System (accounts 313 and 314).—**

1. Air duct system.
2. Air washer.
3. Blower.
4. Cooler.

**E. Central Lubricating System (accounts 313 and 314).—**

1. Accumulator.
2. Cooler.
3. Pump.
4. Purifier or filter.
5. Tank.

**F. Instruments and Meters (accounts 313 and 314).—**

1. Panel section of a switch or instrument board.
2. Recording or indicating device.

**G. Engine and Turbine Plant Piping (accounts 313 and 314).—**

1. Header of any class of piping, such as each pressure or temperature class of live steam; each pressure, class of exhaust steam; raw water; treated water; feed, stage, and condensate water; cooling water; gland piping; lubricating oil, insulating oil; gas; free exhaust piping; vent piping; drip and drain piping; condensing water; compressed air; hot or cold service water; oil and lubricating, etc.
2. Piping, branch run of any class, 2 inches or over in size, between one or more units of property and a header.
3. Piping, run of any class, 2 inches or over in size, between two or more units of property.
4. Separator or purifier, steam.
5. Tank.
6. Trap, high-pressure.
7. Valve, motor operated, pressure reducing, or other relatively costly valve.

NOTE.—Wherever appropriate, the "piping" costs of additions and retirements shall include all costs for pipes, valves, fittings, specials, covering, hangers, supports, etc., pertaining to the run or header in question.



315. *Accessory Electric Equipment.*—

1. Air duct system.
2. Auxiliary generator set.
3. Battery charging set.
4. Choke coils, set of.
5. Condenser, synchronous.
6. Control installation, system operator's.
7. Converter, synchronous or rotary.
8. Exciter, separately driven.
9. Fan or blower.
10. Foundation equipment.
11. Frequency changer.
12. Frequency control system.
13. Fuse equipment, set of high tension.
14. Generator voltage regulator system.
15. Induction regulator.
16. Lightning arrester.
17. Oil circuit breaker.
18. Panel or panels, devoted to a single purpose, with electric equipment accessory thereto.
19. Reactor or resistor.
20. Rectifier.
21. Static condensers, set or bank of.
22. Storage battery (station control).
23. Switches, set of disconnecting.
24. Testing equipment, set of.
25. Transformer, not accessory to a panel.
26. Truck switch with wiring and instruments.
27. Wiring, power.

(a) Bus compartment, including integral cubicles for equipment.

(b) Bus—wires, cables, and insulators.

(c) Cable or conductor, each continuous circuit run.

(d) Circuit of generator leads to a bus including supports and protective barriers.

(e) Multiple conduit run between two or more units of property.

(f) Outgoing feeder or auxiliary power feeder including its individual conduit, supports, and barriers.

316. *Miscellaneous Power Plant Equipment.*—

1. Air compressor.
2. Air conditioning or ventilating system.
3. Barge, boat, or similar item of marine equipment.
4. Car, railway.
5. Communication system, station signal or call.
6. Compressed air system.
7. Crane, hoist or derrick.
8. Fire protection system.
9. Laboratory equipment, principal item, such as drying oven, calorimeter, etc.
10. Locomotive.
11. Oil-reclaiming installation.
12. Pump (sump, drain, miscellaneous).
13. Tool, each principal item such as forge, lathe, drill press, steam hammer, welding equipment, etc.
14. Vacuum cleaning system.

NOTE.—If any of the units of property listed above are a part of a structure and includible in account 311, Structures and Improvements, they shall be accounted for through that account.

321. *Structures and Improvements.* (See account 311 for applicable units of property.)

322. *Reservoirs, Dams, and Waterways.*—

1. Apron.
2. Boom.
3. Bridge or draw span.
4. Bulkhead.
5. Dam.
6. Dike, with or without riprap or core wall.
7. Fish ladder, elevator or lock system.
8. Forebay.

9. Flume, tunnel, or canal.
10. Gate.
11. Gate hoist.
12. Gate hoist track.
13. Gate section.
14. Gravity section.
15. Heating or thawing system.
16. Lock, navigation.
17. Penstock.
18. Pier.
19. Piling, system of (steel sheet), to protect any of the structures.
20. Substructure, power plant.
21. Tailrace.
22. Tank, surge.
23. Trash rack.
24. Walkway.
25. Wall, wing, cut-off, baffle.
26. Wiring, light and power system.

323. *Water Wheels, Turbines, and Generators—A. Hydro-Generating Installation.*—

1. Bearing, step or thrust, with or without associated equipment.
2. Drive or connection between water wheel and generator.
3. Exciter, direct connected or belt-driven.
4. Foundation, independent of structure.
5. Generator.
6. Governor control system.
7. Remote control rheostat and field switch.
8. Valve, penstock, main, or by-pass.
9. Water turbine or water wheel, with or without draft tube, scroll case or housing.

B. *Central Generator Cooling System.*—

1. Air duct system.
2. Air washer.
3. Blower.
4. Cooler.

C. *Central Lubricating or Bearing Pressure System.*—

1. Accumulator.
2. Cooler.
3. Piping System.
4. Pump.
5. Purifier or filter.
6. Tank.

D. *Instruments and Meters.*—

1. Panel section of switch or instrument board.
2. Recording or indicating device.

324. *Accessory Electric Equipment.* (See account 315 for applicable units of property.)

325. *Miscellaneous Power Plant Equipment.* (See account 316 for applicable units of property.)

326. *Roads, Railroads, and Bridges.*—

1. Bridge.
2. Culvert.
3. Draw span.
4. Railroad.
5. Road or trail.
6. Trestle.

331. *Structures and Improvements.* (See account 311 for applicable units of property.)

332. *Fuel Holders, Producers, and Accessories—A. Fuel Oil System.*—

1. Boiler, heating.
2. Heater, not a part of tank.
3. Meter, fuel oil.
4. Piping system, fuel oil.
5. Pump.
6. Purifier.
7. Tank, including foundations, supports and fire protection.



**B. Gas Fuel System.—**

1. Ash handling equipment for a producer.
2. Boiler.
3. Booster.
4. Compressor.
5. Fuel handling equipment for a producer.
6. Holder.
7. Meter.
8. Piping system, gas.
9. Producer.
10. Recording or indicating device.
11. Regenerator.
12. Scrubber or washer.
13. Vaporizing unit for butane gas.

**333. Internal Combustion Engines.—A. Internal Combustion Engine.—**

1. Air intake equipment for one engine.
2. Drive or connection between engine and generator.
3. Engine, with or without foundation.
4. Governor control system.
5. Heat exchanger.
6. Meters and instruments for one engine.
7. Muffler.
8. Stack.
9. Starting and turning equipment.

**B. Central Lubricating System.—**

1. Cooler.
2. Piping system, oil.
3. Pump.
4. Purifier or filter.
5. Tank.

**C. Central Cooling Water System.—**

1. Heat exchanger.
2. Piping system, cooling water.
3. Pump.
4. Purification system, water.
5. Spraying system.
6. Tank, storage, surge, or hot-well.
7. Tower, cooling.

**D. Central Starting System.—**

1. Compressor.
2. Piping system, starting.
3. Tank, storage or compressed air.

**E. Central Intake Air Supply.—**

1. Air duct system.
2. Air filter or screen.
3. Blower.
4. Silencer.

**F. Central Exhaust Gas System.—**

1. Heat exchanger (or waste heat boiler).
2. Muffler.
3. Piping system, exhaust.
4. Stack.

**334. Generators.—**

1. Exciter, direct connected or belt-driven.
2. Generator.
3. Panel section of a switch or instrument board.
4. Recording or indicating device.
5. Remote control rheostat and field switch.

**335. Accessory Electric Equipment.** (See account 315 for applicable units of property.)

**336. Miscellaneous Power Plant Equipment.** (See account 316 for applicable units of property.)

**342. Structures and Improvements.** (See account 311 for applicable units of property.)

**343. Station Equipment (Transmission).—**

1. Air compressor.
2. Air duct system.
3. Battery charging set.
4. Bus compartment, including integral cubicles for equipment.
5. Bus—wires, cables, and insulators.
6. Cable or conductor, each continuous circuit run.
7. Choke coils, set of.
8. Condenser, synchronous.
9. Conduit, each continuous run or bank.
10. Converter, synchronous or rotary.
11. Crane or hoist.
12. Enclosure equipment, such as a guard, screen, housing, fence, or barrier not a part of the structure.
13. Fan or blower.
14. Foundation, equipment.
15. Frequency changer.
16. Fuse equipment, set of high tension.
17. Induction regulator.
18. Lighting system.
19. Lightning arrester.
20. Manhole.
21. Motor.
22. Motor generator set.
23. Oil purifier or filter.
24. Oil switch or circuit breaker.
25. Panel or panels, devoted to a single purpose, with electric equipment accessory thereto.
26. Reactor or resistor.
27. Rectifier.
28. Stair or platform.
29. Static condensers, set or bank of.
30. Storage battery (station control).
31. Structure forming a common support for two or more units of equipment.
32. Switches, set of disconnecting.
33. Tank, oil storage.
34. Testing equipment, set of.
35. Track system, transformer.
36. Transformer, not accessory to a panel.
37. Truck switch with wiring and instruments.
38. Truck, transformer.

**344. Towers and Fixtures (Transmission).—**

1. Tower, with or without foundation.

**345. Poles and Fixtures (Transmission).—**

1. Frame, A or H, with or without associated cross-arms, guys, anchors, etc.
2. Pole, i. e., line pole, brace pole, or guy pole, with or without associated crossarms, guys, anchors, etc.

**346. Overhead Conductors and Devices (Transmission).—**

1. Conductor, two or more continuous spans of one circuit.
2. Circuit breaker.
3. Lightning arresters, set of.
4. Line switches, set of.

**347. Underground Conduit (Transmission).—**

1. Conduit, section of, between two manholes, or between a manhole and a pole.
2. Manhole, splicing chamber, or cable vault (not including hand holes).
3. Ventilating equipment, complete installation at one location.

**348. Underground conductors and devices (transmission).—**

1. Circuit breaker.
2. Conductor (buried), section of cable 600 feet or more in length.
3. Conductor (in conduit), circuit between two manholes or between a manhole and a pole.



4. Conductor (submarine), submerged length of cable between terminal chambers or manholes.
5. Lightning arresters, set of.
6. Line switches, set of.

349. *Roads and trails (transmission).* (See account 326 for applicable units of property.)

352. *Station Equipment (Distribution).* (See account 343 for applicable units of property.)

354. *Poles, Towers, and Fixtures (Distribution).*—

1. Frame, A or H, with or without associated cross-arms, guys, anchors, etc.
2. Pole, i. e., line pole, brace pole, or guy pole, with or without associated crossarms, guys, anchors, etc.
3. Tower, with or without foundation.

355. *Overhead Conductors and Devices (Distribution).*—

1. Conductor, two or more continuous spans of one circuit.
2. Circuit breaker.
3. Lightning arresters, set of.
4. Line switches, set of.

356. *Underground Conduit (Distribution).*—

1. Conduit, section of, between two manholes or between a manhole and a pole.
2. Manhole, splicing chamber or cable vault (not including hand holes).
3. Ventilating equipment, complete installation at one location.

357. *Underground Conductors and Devices (Distribution).*—

1. Circuit breaker.
2. Conductor (buried), section of cable 600 feet or more in length.
3. Conductor (in conduit), circuit between two manholes or between a manhole and a pole.
4. Conductor (submarine), submerged length of cable between terminal chambers or manholes.
5. Lightning arresters, set of.
6. Line switches, set of.

358. *Line Transformers.*—

1. Capacitor bank.
  2. Lightning arresters, set of.
  3. Network protector.
  4. Transformer, with or without case.
  5. Transformer cut-out boxes or switches, set of.
  6. Voltage regulator.
- (See also text of account 761-3, Removing and Resetting Line Transformers.)

359. *Services.*—

1. Overhead service.
2. Underground service (not including duct).
3. Underground service duct.

360. *Meters.*—

1. Current limiting device.
  2. Instrument transformers, set of.
  3. Meter.
  4. Time switch.
- (See also text of account 762-1, Removing and Resetting Meters.)

361. *Installations on Customers' Premises.*—

1. Cable vault.
2. Commercial lighting equipment installation on one premise.
3. Equipment installation, such as a frequency changer, a motor, a motor generator set, etc.
4. Switchboard and wire or cable connections on one premise.

NOTE.—See also other accounts for appropriate units of property.

362. *Leased Property on Customers' Premises.*—

1. Equipment installation, such as a motor, a transformer, etc.

NOTE.—See also other accounts for appropriate units of property.

363. *Street Lighting and Signal Systems.*—

1. Lamp fixture including suspension fixtures, brackets, glassware, etc., when not a part of post or standard.
2. Post or standard.
3. Series contactor.
4. Signal installation at one location.
5. Time switch.
6. Transformer.

NOTE.—See also units as listed under accounts 355, Overhead Conductors and Devices, 356, Underground Conduit, 357, Underground Conductors and Devices, and 358, Line Transformers, when such property is included in this account.

371. *Structures and Improvements.* (See account 311 for applicable units of property.)

372. *Office Furniture and Equipment.*—Each principal item of equipment such as:

1. Adding or calculating machine (including coin counters).
2. Bookcase (complete).
3. Blue print machine.
4. Cabinet.
5. Desk.
6. Dictating machine (recording or reproducing).
7. Duplicating machine (including letter press).
8. Photostat machine.
9. Safe.
10. Sofa or lounge.
11. Table.
12. Typewriter.
13. Wardrobe.

373. *Transportation Equipment.*—Each principal item of equipment such as:

1. Air compressor.
2. Gasoline or oil pump.
3. Gasoline or oil storage tank.
4. Horse, mule or ox.
5. Motor.
6. Power-driven greasing machine.
7. Tractor.
8. Vehicle.

374. *Stores Equipment.*—Each principal item of equipment such as:

1. Crane, hoist, or chainfall.
2. Motor.
3. Portable elevating and stacking equipment.
4. Shelving or bins, section of.
5. Truck.

375. *Shop Equipment.*—Each principal item of equipment such as:

1. Air compressor.
2. Boiler.
3. Crane, hoist or chainfall.
4. Drilling machine.
5. Drill press.
6. Electric welding machine.
7. Engine.
8. Forge.
9. Furnace.
10. Lathe.
11. Motor.
12. Planer.
13. Shaper.



376. *Laboratory Equipment.*—Each principal item of equipment such as:

1. Centrifuge.
2. Dynamometer.
3. Transformer, testing and loading.

377. *Tools and Work Equipment.*—Each principal item of equipment such as:

1. Air compressor.
2. Boiler.
3. Cable pulling power equipment.
4. Concrete mixer.
5. Derrick, crane, hoist, or chainfall.
6. Engine.
7. Forge.
8. Furnace.
9. Motor.
10. Pile driving machine.
11. Pipe threading and cutting machine.
12. Pole setting machine.
13. Post hole digger.
14. Pump.
15. Trenching machine.

378. *Communication Equipment.*—Each principal item of equipment such as:

1. Carrier current coupling capacitor.
2. Carrier current transmitting and receiving set.
3. Intercommunicating telephone system.
4. Radio receiver.
5. Radio transmitter.
6. Storage battery installation.

NOTE.—Units of conductors, supports and duct lines shall be identical with those prescribed for accounts 344, 345, 346, 347, 348, 354, 355, 356, and 357.

379. *Miscellaneous Equipment.*—Each principal item of equipment such as:

1. Billiard table.
2. Bowling alley.
3. Radio.
4. Soda fountain.

[F. R. Doc. 37-217; Filed, January 23, 1937; 9:54 a. m.]

## INTERSTATE COMMERCE COMMISSION.

### ORDER

#### MONTHLY REPORTS OF REVENUES AND EXPENSES

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 23rd day of October A. D. 1936.

The subject of monthly reports of revenues and expenses being under consideration, the following order was entered:

*It is ordered, That—*

1. The orders of this Commission issued under dates of July 10, 1907, and January 15, 1908, relating to monthly reports of revenues and expenses of carriers by rail be and are hereby annulled effective January 1, 1937.

2. Each and every Class I steam railway, excluding Class I switching and terminal companies, subject to the provisions of the Interstate Commerce Act shall make under oath monthly reports of revenues and expenses in accordance with the form of report which is attached hereto and made a part of this order.<sup>1</sup>

*It is further ordered, That* beginning with the month of January 1937 said monthly reports shall be filed in duplicate in the Bureau of Statistics on or before the 26th day

<sup>1</sup>The report and the instructions therewith were filed with the Division of the Federal Register; copies are available upon application to the Interstate Commerce Commission.

of the month next succeeding the month to which they refer.

By the Commission, division 4.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 37-220; Filed, January 23, 1937; 11:06 a. m.]

## RULES GOVERNING MEETINGS AND PROCEDURE OF JOINT BOARDS

JANUARY 22, 1937.

The Commission has adopted the following special rules governing meetings and procedure of Joint Boards under Section 205 of the Motor Carrier Act, 1935:

1. *General.*—A matter which the Interstate Commerce Commission, hereinafter called the Commission, refers to a Joint Board will be so referred by special order of the Commission. Correspondence concerning matters so referred to Joint Boards should be directed to the Interstate Commerce Commission, Washington, D. C.

2. *Organization.*—After a Joint Board has been created the Board shall select one of its members to act as chairman for all purposes concerning matters which may be referred to it. In the event the member so selected is absent from any meeting of such Board the members attending shall select one of such members temporarily to act as chairman.

3. *Meetings.*—Meetings of a Joint Board for hearings shall be called by the Commission, and due notice thereof given to all members of the Board. Where reasonably possible, meetings shall be called at the offices of a Commission in one of the States involved.

4. *Hours for conduct of hearings.*—The hearing in any proceeding before a Joint Board shall begin at the hour designated by the Commission in its notice of hearing, and thereafter shall continue for such time and in such manner as the Joint Board may determine.

5. *Conduct of hearings.*—With the understanding that the Joint Board will recommend the appropriate order, accompanied by the reasons therefor, a hearing assigned before a Joint Board may be conducted by any member or members thereof in the absence of the other member or members.

6. *Designation of examiner.*—The Commission will designate an examiner or examiners to advise with and assist the Joint Board in any referred matter to the extent that such Joint Board may desire.

7. *Procedure in referred matters.*—Procedure in referred matters shall be governed, when not specifically covered by these rules, by the Commission's Rules of Practice so far as applicable.

8. *Pleadings part of record.*—All pleadings in referred matters shall constitute part of the record before the Joint Board without special admission or incorporation therein. This rule shall not dispense with the necessity for proof of the facts alleged in a pleading when relied upon by the party who filed it.

9. *Leave to amend or file pleadings, or to intervene, not to be granted in certain cases.*—A Joint Board may in its discretion grant leave to amend or to file any pleadings, or to intervene, in a referred matter, upon application tendered either prior to or at the hearing, but in no event shall it grant such leave if thereby the issues would be unduly broadened, or if thereby the issues would be so narrowed as to make the referred matter one which should properly be referred to a different Joint Board or other referee.

10. *Action on certain motions.*—Action on motions the granting of which would have the effect of preventing consideration of the merits of a referred matter or a substantial part thereof may be reserved by a Joint Board for final disposition by the Commission.

11. *Procedural rulings in case of disagreement.*—If the members of a Joint Board or a majority thereof in actual attendance at a hearing shall be unable to agree upon the



disposition of a procedural question arising therein, the chairman (or acting chairman) shall decide the question and rule or order accordingly.

12. *Exhibits, number of copies to be furnished.*—When exhibits of a documentary character are to be offered in evidence the Joint Board shall require that the original and one copy of each be furnished for the use of the Commission (to be delivered respectively to the official reporter and to the examiner); and, unless the Joint Board shall otherwise direct, that copies be furnished to each of the members of the Board for their use, and to opposing parties or their counsel. Whenever practicable, the parties should interchange copies of proposed exhibits before or at the commencement of the hearing.

13. *Continuance; fixing date and place.*—In case it is impossible to conclude a hearing within the time available, or for any reason a continuance is necessary or advisable, the Joint Board shall not set a date and place for the continued hearing without first consulting the Commission. If consulting the Commission is impracticable, the hearing shall be adjourned to such time and place as the Commission subsequently shall determine.

14. *Briefs, time for filing; reply briefs not permitted.*—If the Joint Board permits briefs to be filed in a referred matter, it shall fix for all parties the same period therefor. Reply briefs shall not be permitted. Parties shall be instructed to file twenty copies of any brief with the Commission at Washington and copies in number to be fixed by the Joint Board with the members of the Joint Board and the examiner.

15. *Form of orders and reports; service.*—For the sake of uniformity, Joint Boards shall conform their respective recommended orders and accompanying reports, as nearly as may be practicable, to the form of orders and reports issued by the Commission in similar cases. The reports shall contain a brief statement of the issues, a discussion of the pertinent evidence, and a recommendation of specific and sufficient findings, with the reasons therefor. Such orders and reports will be served by the Commission.

16. *Termination of jurisdiction.*—The jurisdiction of a Joint Board over a referred matter shall be terminated in the event of waiver of action by the appropriate authority of each State from which a member is entitled to be appointed, or in the event the Commission finds that a Joint Board has failed or refused to act, or in the event of inability of the members thereof to agree upon the referred matter, or upon recommendation by the Joint Board or a majority thereof of a report and order signed by the members concurring therein, but the matter may be again referred to the Joint Board if a further hearing as to facts shall become necessary.

17. *Procedure in case of non-action by Joint Board.*—If a Joint Board or a majority thereof is unable to agree upon a referred matter, it will be decided by the Commission or in its discretion be referred to a member or examiner thereof for recommendation of an appropriate order thereon and report including the reasons therefor, on the record theretofore made or after such hearing or further hearing as may be required.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 37-241; Filed, January 25, 1937; 11:51 a. m.]

## RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 48]

### ALLOCATION OF FUNDS FOR PROJECTS RESCINDED

JANUARY 22, 1937.

I hereby rescind the allocations of funds for the below designated projects, made by Administrative Orders No. 19 and 36.<sup>1</sup> This action is taken because these projects do not now appear feasible due to change of conditions.

<sup>1</sup> 1 F. R. 1748, 2240.

## Project Designation:

	Amount
Texas 37 Williamson (19)-----	\$240,000
Texas 43 Tarrant (36)-----	285,000

MORRIS L. COOKE, *Administrator.*

[F. R. Doc. 37-218; Filed, January 23, 1937; 9:55 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

### *United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of January A. D. 1937.

[File No. 43-28]

### IN THE MATTER OF AMERICAN PUBLIC SERVICE COMPANY

#### NOTICE OF AND ORDER FOR HEARING

A declaration having been duly filed with this Commission, by American Public Service Company, a registered holding company, pursuant to Section 7 of the Public Utility Holding Company Act of 1935, regarding the issuance of 96,434 shares of its common stock of the par value of \$80 per share, to evidence a reduction in the par value of said shares from \$100 per share to \$80 per share;

It is ordered that a hearing on such matter be held on February 4, 1937, at ten o'clock in the forenoon of that day at Room 1103, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before February 1, 1937.

It is further ordered that Robert P. Reeder, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-242; Filed, January 25, 1937; 12:41 p. m.]

### *United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of January A. D. 1937.

[File No. 43-29]

### IN THE MATTER OF CENTRAL AND SOUTH WEST UTILITIES COMPANY

#### NOTICE OF AND ORDER FOR HEARING

A declaration having been duly filed with this Commission, by Central and South West Utilities Company, a registered holding company pursuant to Section 7 of the Public Utility Holding Company Act of 1935, regarding the issuance of 3,372,736<sup>20</sup>/<sub>100</sub> shares of its common stock of the par value of fifty cents (50¢) per share, to evidence a reduction in the



par value of said shares from \$1 per share to fifty cents (50¢) per share;

It is ordered that a hearing on such matter be held on February 4, 1937, at ten o'clock in the forenoon of that day at Room 1103 Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before February 1, 1937.

It is further ordered that Robert P. Reeder, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-243; Filed, January 25, 1937; 12:41 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of January A. D. 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE REPOLLO-ADKINS FARM, FILED ON JANUARY 11, 1937, BY GRIMES BROS. ROYALTY COMPANY, RESPONDENT

CONSENT TO WITHDRAWAL OF FILING OF OFFERING SHEET AND ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, having been informed by the respondent that no sales of any of the interests covered by the offering sheet described in the title hereof have been made, and finding, upon the basis of such information, that the withdrawal of the filing of the said offering sheet, requested by such respondent, will be consistent with the public interest and the protection of investors, consents to the withdrawal of such filing but not to the removal of the said offering sheet, or any papers with reference thereto, from the files of the Commission; and

It is ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding,<sup>1</sup> be and the same are hereby revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-244; Filed, January 25, 1937; 12:41 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its Office in the City of Washington, D. C., on the 22d day of January A. D. 1937.

<sup>1</sup> 2 F. R. 140.

[File No. 46-25]

IN THE MATTER OF THE MIDDLE WEST CORPORATION

ORDER APPROVING ACQUISITION OF SECURITIES PURSUANT TO SECTION 10 OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

The Middle West Corporation, a registered holding company, having duly filed with this Commission, an application pursuant to Section 10 (a) (1) of the Public Utility Holding Company Act of 1935 for the approval of the acquisition by it of \$19,550 aggregate principal amount of First Lien 6% Income Bonds, Series B, 195½ shares of 6% Non-Cumulative Preferred Stock (\$100 par), and 977½ shares of Common Stock (\$1.00 par), such securities to be issued by the Southern United Gas Company, a Delaware corporation, in accordance with an amended plan for reorganization of Southern United Gas Company, a New Jersey Corporation, which plan was confirmed by the District Court of the United States for the Northern District of Illinois, Eastern Division on February 21, 1936;

A hearing on said application having been held after appropriate notice,<sup>1</sup> the record in this matter having been examined, and the Commission having made and filed its findings herein:

It is ordered that the acquisition by applicant of such securities in accordance with the terms and conditions of and for the purposes represented by such application, be and the same hereby is approved.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-247; Filed, January 25, 1937; 12:42 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 23rd day of January A. D. 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SUPERIOR-SIBLEY FARM, FILED ON JANUARY 6, 1937, BY SECOND DEPENDABLE OIL CORP., RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on January 22, 1937, be effective as of January 22, 1937; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding,<sup>2</sup> be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-246; Filed, January 25, 1937; 12:42 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 23rd day of January A. D. 1937.

<sup>1</sup> 1 F. R. 976.

<sup>2</sup> 2 F. R. 95.



IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BRITISH-AMERICAN ET AL-MCNABB FARM, FILED ON JANUARY 16, 1937, BY G. E. FISHER, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that Item 5 of Division II does not correctly give the name of the purchaser of the oil produced;
2. In that Item 8 (a) of Division II states the payments will be made by the oil purchaser direct to the interest holder;
3. In that Items 8 (d) (i) to (v) of Division II are omitted;
4. In that Exhibit B is omitted;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 22nd day of February 1937 that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Moore, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 5th day of February 1937 at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-248; Filed, January 25, 1937; 12:42 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of January A. D. 1937.

IN THE MATTER OF AN OFFERING SHEET OF AN OVERRIDING ROYALTY INTEREST IN THE THOMASSON-DURHAM ET AL. FARM FILED ON JANUARY 15, 1937, BY E. M. THOMASSON PRODUCING CO., RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the

offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that the farm name, which is required to appear at the top of the first page, is omitted;
2. In that Item 2 (c) of Division II states that the tract involves 80 Acres. It appears from the purchase contract, referred to in Item 1 of Division II, in Exhibit B, and in Exhibit C, that the offeror has presently a lease on only 40 Acres;
3. In that the address of the purchaser and whether the purchaser has a direct connected pipe line have been omitted from Item 6 of Division II;
4. In that the offeror states in Item 9 (d) (ii) of Division II that he is "Owner of Lease." See ground 2 above;
5. In that Item 9 (d) (iv) of Division II does not correctly state the facts respecting obligations to drill 2 test wells;
6. In that Item 10 (b) (iii) of Division II does not correctly describe the nature of the interest;
7. In that insufficient data is given in Item 13 (a) of Division II respecting the name of the agency to whom taxes are payable;
8. In that Item 13 (b) of Division II fails to recite the liability to pay a Federal tax;
9. In that the statement following Item 14, on Page 6 of the offering sheet, appears inconsistent with paragraph 3 of Exhibit C;
10. In that, if Exhibit C is correct, Items 15 to 22 inclusive should be included in the offering sheet;
11. In that Item 23 of Division II omits the statement required respecting the number of producing wells in the field, and the position of the tract in relation to the field;
12. In that Item 28 (a) (ii) of Division II requires information with respect only to abandoned wells;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 20th day of February 1937 that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Moore, an officer of the Commission, be and hereby is designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 5th day of February 1937 at 11:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-245; Filed, January 25, 1937; 12:42 p. m.]